

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA)	
)	
v.)	
)	Criminal Case No. 20-CR-81-LM-01/02
LESTER ACEITUNO and)	
KIZITO CHUKWUJEKWU)	
)	
Defendants)	
_____)	

INDICTMENT

The Grand Jury charges:

COUNT ONE

[18 U.S.C. §§ 1349 – Conspiracy to Commit Bank Fraud]

Background

1. Eastern Bank was a financial institution as that term is defined in 18 U.S.C. § 20 as its deposits were insured by the Federal Deposit Insurance Corporation (“FDIC”).
2. Fifth Third Bank was a financial institution as that term is defined in 18 U.S.C. § 20 as its deposits were insured by the FDIC.

The Conspiracy

3. From on or about June 1, 2016, to on or about October 10, 2017, in the District of New Hampshire and elsewhere, the defendants,

LESTER ACEITUNO and
KIZITO CHUKWUJEKWU

knowingly and willfully conspired and agreed with each other, and other persons known and unknown to the grand jury to devise and execute and attempt to execute a scheme and artifice to defraud Eastern Bank and Fifth Third Bank (the “financial institutions”) and to obtain money in

the custody and control of the financial institutions by means of false and fraudulent pretenses, representations and promises, in violation of Title 18 United States Code Sections 1349 and 1344.

Manner and Means of the Conspiracy

4. It was a part of the conspiracy that ACEITUNO, CHUKWUJEKWU, and their co-conspirators knowingly opened bank accounts at the financial institutions using other persons' identification information. Thereafter, ACEITUNO, CHUKWUJEKWU, or their co-conspirators caused fraudulently obtained checks and money orders to be deposited to the bank accounts at the financial institutions. After the deposits were posted to the affected accounts, ACEITUNO, CHUKWUJEKWU, and their co-conspirators acquired proceeds from each such stolen check and money order by causing funds to be withdrawn from the accounts through debit card purchases, ATM withdrawals, Postal Money Orders, and Cashier's Checks.

5. It was further part of the conspiracy that, ACEITUNO, CHUKWUJEKWU, and their co-conspirators committed and caused at least one the following acts, among others, to be committed in the District of New Hampshire and elsewhere.

- a. On or about the dates charted below, ACEITUNO opened bank accounts at the charted locations using another real person's identification information.

Date	Bank	Location	Identity Used
6/1/2016	Eastern Bank	Boston, MA	T.T.
10/18/2016	Eastern Bank	S. Boston, MA	D.A.J.
11/2/2016	Eastern Bank	Nashua, NH	J.B.
2/3/2017	Eastern Bank	Wilmington, MA	D.R.J.

- b. On or about May 13, 2017, CHUKWUJEKWU opened an Eastern Bank account in S. Boston, Massachusetts, using the identification information of J.S., another real person.

- c. On or about August 4, 2017, a co-conspirator known to the grand jury opened a Fifth Third Bank account in Norcross, Georgia, using the identification information of P.V., another real person.
- d. On or about the dates charted below, a co-conspirator known to the grand jury caused the following stolen checks to be deposited into Eastern Bank and Fifth Third Bank accounts opened as part of the scheme.

Date	Amount	Bank	Payor	Name on Account
8/2/2016	\$12,021.16	Eastern Bank	Control Risks Group LLC	T.T.
8/12/2016	\$19,945.09	Eastern Bank	Soonoco	T.T.
8/5/2017	\$65,756.02	Fifth Third Bank	Prudential	P.V.
8/22/2017	\$22,126.45	Eastern Bank	Associated Wholesale Grocers, Inc.	D.R.J.

- e. On or about the dates charted below, a co-conspirator known to the grand jury deposited or attempted to deposit the following Western Union money orders into the Eastern Bank account opened by CHUKWUJEKWU in the name of J.S.

Date	Amount
9/8/2017	\$500
9/25/2017	\$500
10/10/2017	\$1000

All in violation of Title 18, United States Code, Sections 1349 and 1344.

COUNTS TWO AND THREE

[Aggravated Identity Theft, 18 U.S.C. § 1028A]

6. On or about the dates charted below, in the District of New Hampshire and elsewhere, the defendant,

LESTER ACEITUNO,

during and in relation to the felony violation of conspiracy to commit bank fraud in violation of Title 18, United States Code, Section 1349, as charged in Count One of this indictment, knowingly possessed and used, without lawful authority, means of identification—including names, dates of birth, and social security numbers—of other persons as set forth below:

Count	Date of Account Opening	Person Whose Identity was Used
4	6/1/2016	T.T.
3	11/2/2016	J.B.

All in violation of Title 18, United States Code, Sections 1028A.

COUNT FOUR

[Aggravated Identity Theft, 18 U.S.C. § 1028A]

7. On or about the dates charted below, in the District of New Hampshire and elsewhere, the defendant,

KIZITO CHUKWUJEKWU,

during and in relation to the felony violation of conspiracy to commit bank fraud in violation of Title 18, United States Code, Section 1349, as charged in Count One of this indictment, knowingly possessed and used, without lawful authority, means of identification—including name, date of birth, and social security number—of another person as set forth below:

Count	Person Whose Identity was Used
4	J.S.

All in violation of Title 18, United States Code, Sections 1028A.

NOTICE OF CRIMINAL FORFEITURE PURSUANT TO
18 U.S.C. §§ 981(a), 982(a) AND 28 U.S.C. § 2461(c)

The Grand Jury re-alleges the allegations in Counts One through Four for the purpose of alleging forfeitures pursuant to 18 U.S.C. §§ 981(a), 982(a), and 28 U.S.C. § 2461(c). Upon conviction of one or more of the offenses alleged in Counts One through Four of this Indictment, the defendants shall forfeit to the United States, pursuant to 18 U.S.C. §§ 981(a)(1)(C), 982(a)(2)(A), (B) and 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offense.

All in accordance with Rule 32.2(a) of the Federal Rules of Criminal Procedure.

A TRUE BILL

Date: August 24, 2020

/s/ Grand Jury Foreperson
Grand Jury Foreperson

SCOTT W. MURRAY
United States Attorney

/s/ Matthew T. Hunter
Matthew T. Hunter
Assistant United States Attorney